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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION OF: Leslie Johnson

SERIAL NO: 09/848,390

Art Unit: 1641

FILED: May 3, 2001

Examiner: Unassigned

FOR: Combination Therapy of Respiratory Diseases Using Antibodies...

DOCKET NO: 469201-539

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Commissioner for Patents  
Washington, DC 20231

TECH CENTER 1600/2900

Dear Sir:

Pursuant to 37 C.F.R. §1.56(a), Applicant(s) hereby cite(s) the enclosed documents listed on the attached copy of Form PTO-1449 which are believed to be material to the patentability of the above-identified application. In addition, a supplemental disclosure statement has been filed citing related compending applications.

This Information Disclosure Statement is filed in accordance with the paragraph of 37 CFR §1.97 indicated below:

X §1.97(b) This Information Disclosure Statement is filed:

- (1) Within three months of the filing date of a national application; OR
- (2) Within three months of the date of entry of the national stage of an international application; OR
- (3) Before the mailing of a first Office Action on the merits. No fee or statement is required.

     §1.97(c) This Information Disclosure Statement is filed after the period specified in paragraph (b) above, but before the mailing date of either:

- (1) A Final Action or under 37 CFR §1.113; OR
- (2) A Notice of Allowance under 37 CFR §1.311; AND

is accompanied by either: (check one)

- The statement as specified in 37 CFR §1.97(e) set out below; OR
- The fee of \$ 180.00 under 37 CFR §1.17(p).

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\_\_\_§1.97(d) This Information Disclosure Statement is filed after the mailing date of either:

- (1) a Final Action or under 37 CFR §1.113; OR
- (2) A Notice of Allowance under 37 CFR §1.311;

BUT filed on or before payment of the Issue Fee; AND  
is accompanied by:

- (1) The statement as specified in 37 CFR §1.97(e) as set forth below; AND
- (2) Petition is hereby made under 37 CFR §1.97(d) for consideration of this Information Disclosure Statement; AND,
- (3) The petition fee of \$130.00 set out in 37 CFR §1.17(i).

\_\_\_§1.97(e) The undersigned Attorney hereby states that:

\_\_\_ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of this Information Disclosure Statement;  
or

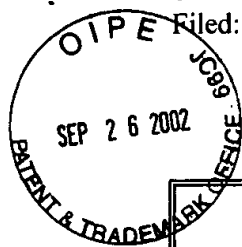
\_\_\_ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, or to the knowledge of the undersigned Attorney after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing date of the Information Disclosure Statement.

The Commissioner is authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 03-0678.

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Serial No: 09/848,390

Filed: May 3, 2001



**EXPRESS MAIL CERTIFICATE**

Express Mail Label No. EU556037787US

Deposit Date: 26 September 2002

I hereby certify that this paper and the attachments hereto are being deposited today with the U.S. Postal Service "Express Mail Post Office To Addressee" service under 37 CFR 1.10 on the date indicated above addressed to:

Commissioner for Patents  
Washington, DC 20231

*Alan J. Grant*

Alan J. Grant, Esq.

*9/26/02*  
Date

Respectfully submitted,

*Alan J. Grant*

Alan J. Grant, Esq.

Reg. No. 33,389

CARELLA, BYRNE, BAIN, GILFILLAN,

CECCHI, STEWART & OLSTEIN

6 Becker Farm Road

Roseland, NJ 07068

Tel. No.: (973) 994-1700

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Form PTO-1449 <b>INFORMATION DISCLOSURE STATEMENT</b>	Atty. Docket: 469201-539	Serial No.: 09/848,390
	Applicant: Leslie Johnson	
	Filing Date: May 3, 2001	Group: 1641

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Sub-Class	Filing Date
	A1	5,840,298	Nov. 24, 1998	Chamat Soulaïma Salim et al.			
	B1	5,290,540	March 1, 1994	Hemming Val G et al.			
	C1						
	D1						

FOREIGN PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Country	Class	Sub-Class	Translation
	E1	WO 93/20210	14 October 1993	PCT			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	F1	WO 94/16730	4 August 1994	PCT			
	G1	WO 99/04814	4 February 1999	PCT			
	H1	WO 01/82965	8 November 2001	PCT			
	I1	WO 98/19704	14 May 1998	PCT			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

BEST AVAILABLE COPY	J1	Postgraduate Medicine Online, Baker A. et al., "RSV Infection in Infants and Young Children", Postgraduate Medicine, Vol. 106, No. 7, pages 97-111, December 1999.
	K1	Hayden F.G., "Combination Antiviral Therapy for Respiratory Virus Infections", Antiviral Research, Elsevier Science B.V., Amsterdam, NL., Vol. 29, No. 1, pages 45-48 (1996).
	L1	Jiang Zili et al., "Autocrine Regulation and Experimental Modulation of Interleukin-6 Expression by Human Pulmonary Epithelial Cells Infected with Respiratory Syncytial Virus", Journal of Virology, Vol. 72, No. 3, March 1998, pages 2496-2499 (1998-03).
	M1	Stacy Tina, et al., "Empiric Treatment of Respiratory Syncytial Virus Infection in Adult Stem Cell Transplant Recipients with Ribavirin and Palivizumab", Database accession no. PREV200100304170, abstract.
	N1	
	O1	
	P1	
	Q1	

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Examiner:	Date Considered:
<b>EXAMINER:</b> Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.	